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8 **UNITED STATES DISTRICT COURT**  
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10 EASTERN DISTRICT OF CALIFORNIA

11 ANTOINE DESHAWN BARNES,  
12 Plaintiff,  
13 v.  
14 DAVID WOLF, et al.,  
15 Defendants.

16 Case No. 1:22-cv-00955-ADA-SKO  
17 ORDER DISMISSING ACTION WITHOUT  
18 PREJUDICE FOR FAILURE TO PAY FILING FEE  
19 AND FAILURE TO OBEY A COURT ORDER  
20 (Doc. Nos. 3, 5)

21 Plaintiff Antoine Deshawn Barnes is a state prisoner proceeding *pro se* in this civil action,  
22 which he filed on August 1, 2022. (Doc. No. 1.) The matter was referred to a United States  
23 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

24 On August 4, 2022, the assigned Magistrate Judge issued findings and recommendations  
25 recommending that plaintiff's application to proceed *in forma pauperis* be denied pursuant to 28  
26 U.S.C. § 1915(a) and (g) and that plaintiff be required to pay the \$402.00 filing fee in full to  
27 proceed with this action. (Doc. No. 3.) On September 6, 2022, the undersigned adopted the  
28 findings and recommendations in full and ordered plaintiff to pay the \$402.00 filing fee within  
thirty (30) days of the date of service. (Doc. No. 5.) In that order, plaintiff was also warned that if  
he failed to pay the filing fee within the specified time, the action would be dismissed. (*Id.* at 2.)

1 To date, plaintiff has not paid the required filing fee or requested an extension of time to  
2 do so, and the deadline to pay the required filing fee has now passed.  
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4 Accordingly,  
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1. This action is DISMISSED without prejudice due to plaintiff's failure to obey a  
2 court order and to pay the required filing fee; and
3. The Clerk of Court is directed to close this case.  
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9 IT IS SO ORDERED.  
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11 Dated: November 18, 2022

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UNITED STATES DISTRICT JUDGE

